

REMARKS

Claims 1, 6-12 and 17-22 are pending in the application.

Claims 5 and 16 are canceled. Claims 2-4 and 13-15 are withdrawn from consideration.

Claims 6-10 and 17-21 are allowed.

Claims 1, 11, 12 and 22 are rejected.

Applicant has clarified claims 1, 11, 12 and 22. For example in claims 1 and 12 the dividing has been clarified to logically defining a label switching router (LSR) (for example, 10 in Fig. 8) connected to an MPLS (Multi Protocol Label Switching) network and a non-MPLS network as into a plurality of LSRs (for example, LSR 1 – LSR 4) each having a label switching function and each having a port or a port group.

In claims 11 and 22 applicant has also clarified the features, for example, an explicit routing method in a label switching system according to amended claim 11 of the present invention, includes specifying an MPLS explicit route by adding, to an MPLS-to-IP forwarding function of a port group in one specified egress node (for example, ADAPTER 3 in Fig 22), and a communication function with the MPLS-to-IP forwarding function of a port group in an intra-system other egress node (ADAPTER 4), and a forwarding function to the port group in the intra-system other egress node; and wherein the one specified egress node (ADAPTER 3) and the intra-system other egress node (ADAPTER 4) are in a label switching router (LSR 40) connected to an MPLS network and a non-MPLS network.

REJECTION OF CLAIMS 1 AND 11 UNDER 35 U.S.C. §102

Claims 1 and 11 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,408,001 (Chuah). Applicant respectfully traverses the rejections for at least the following

reasons.

In the Office Action it is argued that LSR1-8 form a big router which is then divided (defined) into LSR 4, LSR 7, LSR 1.

However col. 6, lines 10 -23 of Chuah describes a "plurality of individual Label Switch Routers (LSRs)." In contrast applicant is claiming logically defining. Thus it is submitted that the reference is describing individual routers in contrast applicant is claiming logically defining a LSR as into a plurality of LSRs. Thus Chuah is different from the claimed invention.

Also applicant claims the LSR connected to an MPLS network and a non-MPLS network. In Chuah if the LSR1-8 is one big router then there is no connection to an MPLS network. The only connections to the one big router are non-MPLS to the ITSs as shown in FIG. 4 of Chuah and described in Col. 6. Thus again Chuah is different from the claimed invention.

In applicant's claim 1, the explicit routing method in a label switching system includes, for example, logically defining a label switching router (LSR) (for example, 10 in Fig. 8) connected to an MPLS (Multi Protocol Label Switching) network and an non-MPLS network as into a plurality of LSRs (for example, LSR 1 – LSR 4) each having a label switching function and each having a port or a port group.

Chuah describes, as a common label switching path segment, setting a label switched path on the basis of an explicit route specified in an MPLS network (400 in FIG. 4).

However in contrast to applicant's claimed invention Chuah does not disclose or suggest, a label switch router connected to an MPLS network and a non-MPLS network is logically defined as a plurality of LSRs.

REJECTION OF CLAIMS 12 AND 22 UNDER 35 U.S.C. §103

Claims 12 and 22 are rejected under 35 U.S.C. §103 as being unpatentable over Chuah.

Applicant respectfully traverses the rejections for at least the following reasons.

It is respectfully submitted Chuah fails to show or suggest that a label switch router, (for example, LSR1 402 in Figs. 4 and 5) connected to an MPLS network (400) and a non-MPLS network, includes one specified egress node and an intra-system other egress node.

In contrast, applicant's claim 12, for example, includes

a step of specifying an MPLS (Multi-Protocol Label Switching) explicit route by adding, to an MPLS-to-IP forwarding function of a port group in one specified egress node (for example, ADAPTER 3 in Fig. 22), and a communication function with the MPLS-to-IP forwarding function of a port group in an intra-system other egress node (ADAPTER 4), and a forwarding function to the port group in the intra-system other egress node; and

wherein the one specified egress node (ADAPTER 3) and the intra-system other egress node (ADAPTER 4) are in a label switching router (LSR 40) connected to an MPLS network and a non-MPLS network.

In contrast, in Chuah, a label switch router (LSR1 402 in Figs. 4 and 5) connected to an MPLS network (400) and a non-MPLS network does not include one specified egress node and an intra-system other egress node.

Accordingly, the present invention is distinguishable from the reference and is not obvious by Chuah because the prior art reference must teach or suggest all the claim limitations.

First the reference does not teach all the limitations as admitted in the Office Action. Plus the reference fails to teach the features discussed above.

Second the Office Action purports to modify applicant's claimed invention to fit the cited reference, but the Office Action fails to point out where there is any motivation to make such a modification.

The Office Action purports the motivation is to use the Chuah reference, however there is no statement as to use the reference to do what with or why one skilled in the art would be motivated to make such changes to the Chuah reference. Thus this motivation to use the reference relies on applicant's own disclosure, which is being used as a road map in order to make this rejection. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vueck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

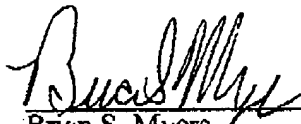
Third there is no teach anywhere that there would be a reasonable expectation of successfully modifying the teaching of the cited reference. Again only applicant's disclosure is being used to provide such a road map of success.

It is respectfully requested the obviousness rejection be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8800
Fax: (212) 940-8986 or 8987
Docket No.: FUJY 17.914 (100794-11533)
BSM:fd